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## Declaration For Patent Application

### 特許出願宣言書

### Japanese Language Declaration

### 日本語宣言書

下記の氏名の発明者として、私は以下の通り宣言します。

下記の名称の発明に関して請求範囲に記載され、特許出願している発明内容について、私が最初かつ唯一の発明者（下記の氏名が一つの場合）もしくは最初かつ共同発明者（下記の氏名が複数の場合）であると信じています。

明者（下記の名称が複数の場合）であると信じています。  
下記の名称が複数の場合）であると信じています。  
明者（下記の名称が複数の場合）であると信じています。

1-[2-(ベンズimidazol-2-ylthio)ethyl]ピペラジン又はその塩の  
製造法

上記発明の明細書は、

本書に添付されています。

2003年  
 11月 27日に提出され、米国出願番号または特

許協定条約国際出願番号を

PCT/JP2003/015154 とし、

(該当する場合) \_\_\_\_\_ に訂正されました。

私は、特許請求範囲を含む上記訂正後の明細書を検討し、  
内容を理解していることをここに表明します。

私は、連邦規則法典第37編第1条56項に定義されるとおり、特許資格の有無について重要な情報を開示する義務があります。継続願書一部分を含む資料案内は前回の願書記入日から、米国願書または国際特許協定条約継続願書記入日の間に入手できます。

As a below-named inventor, I hereby declare that:

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled.

1-[2-(BENZIMIDAZOL-2-YLTHIO)ETHYL] PIPERADINE OR  
ITS SALT

the specification of which

is attached hereto.

was filed on November 27, 2003

as United States Application Number or PCT  
International Application Number

PCT/JP2003/015154 and was amended on  
\_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

## Japanese Language Declaration (日本語宣言書)

私は、私自身の知識に基づいて本宣言書中で私が行なう表明が真実であり、かつ私の入手した情報と私の信じるところに基づく表明が全て真実であると信じていること、さらに故意になされた虚偽の表明及びそれと同等の行為は米国法典第18編第1001条に基づき、罰金または拘禁、もしくはその両方により処罰されること、そしてそのような故意による虚偽の声明を行なえば、出願した、又は既に許可された特許の有効性が失われることを認識し、よってここに上記のごとく宣誓を致します。

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

単独発明者または第1の共同発明者の氏名 <b>渋谷 公幸</b>	Full name of sole or first inventor <b>Kimiyuki SHIBUYA</b>
発明者の署名 <i>Kimiyuki Shibusawa</i>	Inventor's signature
国籍 日本国	Date <i>Feb. 16, 2005</i>
第2の共同発明者の氏名 <b>佐藤 幸広</b>	Full name of second joint inventor, If any <b>Yukihiro SATO</b>
第2の共同発明者の署名 <i>Yukihiro Sato</i>	Second inventor's signature
国籍 日本国	Date <i>Feb. 21, 2005</i>
Citizenship Japan	Citizenship Japan

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**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Kimiyuki SHIBUYA, et al.

Application No./Patent No.: PCT/JP03/15154 Filed/Issue Date: HEREWITH  
PROCESS FOR PRODUCTION OF 1-[2-(BENZIMIDAZOL-2-YL- THIO)ETHYL]PIPERAZINE OR SALTS  
Entitled: THEREOF

KOWA COMPANY, LTD., a  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, government agency, etc.)

States that it is:

1.  the assignee of the entire right, title, and interest; or
2.  an assignee of less than the entire right, title and interest.

The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of an assignment from the inventor(s) of the patent application/patent identified above. A copy of the assignment is attached.

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

<u><i>Surinder Sachar</i></u> Signature	Surinder Sachar Registration No. 34,423	<u>May 20 2005</u> Date
<u>Norman F. Oblon</u> Printed or Typed Name		<u>703-413-3000</u> Telephone Number
<u>24,618</u> Registration Number		

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**GENERAL POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE  
UNITED STATES PATENT AND TRADEMARK OFFICE**

I hereby appoint:

Practitioners associated with the Customer Number

**22850**

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Assignee Name and Address:

KOWA CO., LTD.  
6-29, Nishiki 3-chome, Naka-ku, Nagoya-shi, Aichi 460-8625 JAPAN

A statement under 37 CFR 3.73(b) is attached.

**SIGNATURE OF ASSIGNEE OF RECORD**

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Signature		Date: February 21, 2005
Name	Yoshihiro MIWA	Telephone: 81-52-963-3159
Title	President	

## Assignment of Application

INSERT NAMES  
AND RESIDENCE  
ADDRESS OF  
THE INVENTORS:

WHEREAS, I (WE) (1) Kimiyuki SHIBUYA (2) Yukihiro SATO

(1) of 729-1-403, Oazakamiarai, Tokorozawa-shi, Saitama 359-1142 JAPAN

(2) of 1-20-10-403, Minamitanaka, Nerima-ku, Tokyo 177-0035 JAPAN

INSERT TITLE OF  
INVENTION:

have invented certain new and useful improvements in: 1-[2-(BENZIMIDAZOL-2-YLTHIO)ETHYL] PIPERADINE OR ITS SALT

(Application No. PCT/JP2003/015154, filed November 27, 2003), and

INSERT NAME  
AND ADDRESS OF  
COMPANY OR  
OTHER ASSIGNEE

WHEREAS, KOWA CO., LTD.

(hereinafter referred to as "ASSIGNEE") having a place of business at: 6-29, Nishiki 3-chome, Naka-ku, Nagoya-shi, Aichi 460-8625 JAPAN is desirous of acquiring the entire right, title and interest in and to said invention and in and to any Letters Patent that may be granted therefore in the United States and its territorial possessions and in any and all foreign countries;

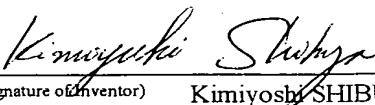
NOW, THEREFORE, in consideration of the sum of FIVE DOLLARS (\$5.00), the receipt whereof is hereby acknowledged, and for other good and valuable consideration, I (WE), by these presents do sell, assign and transfer unto said ASSIGNEE, the full and exclusive right to the said invention in the United States and its territorial possessions and in all foreign countries and the entire right, title and interest in and to any and all Letters Patent which may be granted therefor in the United States and its territorial possessions and in any and all foreign countries and in and to any and all divisions, reissues, continuations, substitutions and renewals thereof.

I (WE) hereby authorize and request the Patent Office Officials in the United States and its territorial possessions and any and all foreign countries to issue any and all of said Letters Patent, when granted, to said ASSIGNEE as the assignee of my (our) entire right, title and interest in and to the same, for the sole use and behoof of said ASSIGNEE, its (his) successors and assigns, to the full end of the term for which said Letters Patent may be granted, as fully and entirely as the same would have been held by me (us) had this Assignment and sale not been made.

Further, I (WE) agree that I (WE) will communicate to said ASSIGNEE or its (his) representatives any facts known to me (us) respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuation, substitute, renewal and reissue applications, execute all necessary assignment papers to cause any and all of said Letter Patent to be issued to said ASSIGNEE, make all rightful oaths, and, generally do everything possible to aid said ASSIGNEE, its (his) successors and assigns, to obtain and enforce proper protection for said invention in the United States and its territorial possessions and in any and all foreign countries.

The undersigned hereby grant(s) the firm of Oblon, Spivak, McClelland, Maier & Neustadt, P.C. of 1940 Duke Street, Alexandria, Virginia 22314 the power to insert on this assignment any further identification, including the application number and filing date, which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

Date: Feb. 16, 2005

  
(Signature of Inventor) Kimiyoshi SHIBUYA

Date: Feb. 21, 2005

  
(Signature of Inventor) Yukihiko SATO

Date: \_\_\_\_\_

(Signature of Inventor)

**OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, P.C.**  
ATTORNEYS AT LAW  
1940 DUKE STREET  
ALEXANDRIA, VIRGINIA 22314